

An. Code, 1924, sec. 140. 1912, sec. 109. 1904, sec. 97. 1892, ch. 109, sec. 85D.  
1910, ch. 219 (p. 6).

**139.** If it shall appear to the said treasurer from any such examination, as hereinbefore provided for, that any of said corporations has violated its charter, or the law pertaining to the same, or is conducting business in an unsafe or unauthorized manner, he shall, by an order under his hand and seal of office, addressed to such corporation, direct the discontinuance of such illegal or unsafe practices and require said corporation to act in conformity with the requirements of its charter and of law, and insist upon safety and security in its transactions; and whenever any such corporation shall refuse or neglect to make such report as hereinbefore required, or to comply with any such order as aforesaid; or whenever it shall appear to said treasurer that it is unsafe or inexpedient for any such corporation to continue to transact business, he shall communicate the facts to the attorney-general who shall thereupon be authorized to institute such proceedings against any such corporation as are now or may hereafter be provided by law.<sup>1</sup>

See notes to secs. 136 and 146.

An. Code, 1924, sec. 141. 1912, sec. 110. 1904, sec. 98. 1892, ch. 109, sec. 85D. 1896, ch. 160, sec. 85E. 1912, ch. 194, sec. 98. 1922, ch. 439. 1933 (Special Sess.), ch. 108.

**140.** Every such corporation transacting as part of its business the guaranty or fidelity business shall, within six months from the 2nd day of April, 1896, and from time to time thereafter, if need be, transfer and assign to the said treasurer registered public stock of the United States or of the State of Maryland, or of Baltimore City, or the bonds of any county or municipal corporation of this State, or of the Home Owners Loan Corporation, a corporation created under an Act of the Congress of the United States approved June 13, 1933, which shall be approved by said treasurer to the amount in value of one hundred thousand dollars, and said amount shall be at all times maintained by said corporation, which stock must be registered in the name of said treasurer, officially, as held in trust under and pursuant to this section, and the same shall be held by said treasurer in trust as security for all the holders of policies or guarantees of said corporation; provided, however, that no such corporation incorporated under any law of any other State, district or territory, the United States or any foreign country, shall be required to make the deposit as above set forth with the Treasurer of this State if said corporation shall have made with the Insurance Commissioner, Treasurer or other proper officer of any State, district or territory in the United States, a deposit in the amount as above set forth of any securities as shall have been approved by the proper officer where made, for the benefit of all the holders of policies or guarantees of said corporation, as above set forth, and a certificate thereof under the hand and official seal of said proper officer shall have been filed with said Treasurer.

Where a surety company alleged to be solvent goes into voluntary dissolution, the state treasurer will not be directed to turn over to the receivers the securities deposited under this section. *Vandiver v. Poe*, 119 Md. 350. (This case arose prior to the act of 1912, ch. 194.)

Cited but not construed in *State v. German Savings Bank*, 103 Md. 203.

See notes to secs. 136 & 146.

An. Code, 1924, sec. 142. 1912, sec. 111. 1904, sec. 99. 1892, ch. 109, sec. 85F. 1906, ch. 118. 1908, ch. 385.

**141.** In case any corporation, now or hereafter doing business in this State, shall refuse or neglect to make the deposit with the state treasurer,

<sup>1</sup> This section so far as it related to trust companies, was repealed by the act of 1910, ch. 219 (p. 6). As to trust companies, see art. 11, sec. 54, *et seq.*